



## CUSTOMS AND BORDER PROTECTION

PORT OF SAN DIEGO  
INFORMATION NOTICE

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**SUBJECT: Vessel Reporting Procedures**

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**DISTRIBUTION:** Pleasure (Recreational) Boaters, USCG Auxiliary, and Other Interested Parties

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### 1. Purpose:

The purpose of this notice is to disseminate the definition of a "foreign port or place" and the reporting procedures for vessels meeting this requirement.

### 2. Background:

The majority of recreational boaters are aware of the requirement to report their arrival to Customs. In most cases, these boaters comply by reporting their arrival immediately upon their return from a foreign port. Some recreational boaters believe that they are not required to report their arrival from a "foreign place", unless they have stopped their headway, anchored, or touched foreign land. This concept is false and has no foundation in the applicable statutes.

### 3. Applicability:

The requirements for recreational vessels to report their arrival are codified in 19USC1433, 46USC12109, and 19CFR4.2. The requirement for a **recreational** vessel applies to U.S. documented vessels endorsed for recreation; state registered recreational vessels, and foreign recreational yachts operating in U.S. waters. The statutes use the term "a foreign port or place". The judicial interpretation of this term is "a port or place exclusively within the sovereignty of a foreign nation." Consequently, the Coronado Islands, and the Mexican territorial waters adjacent thereto, are a "foreign port or place" for purposes of the aforementioned statutes. By definition, once a vessel has entered the Mexican territorial waters, it has been foreign and therefor, must immediately report its arrival to Customs upon its return to the U.S.

### 4. Reporting Procedure:

There are two locations within the San Diego Customs District, at which recreational vessels are to land and report their arrival. All recreational vessels returning from foreign, regardless of hailing port, are required to proceed directly to one of these San Diego Bay locations.

4.1. Vessels 120' and under in length are to proceed directly to the private vessel reporting dock, located at the Port of San Diego Harbor Police Facility, Shelter Island and moor. For their convenience, masters reporting at the Shelter Island facility are to use the payphone, located at the top of the gangway, by dialing "\*82".

4.2. Vessels over 120' in length are to proceed directly to the Broadway pier and moor. Masters at the Broadway pier will report their arrival by personal cellular telephone or payphone. Call Customs at (619) 557-5370, ext. 4.

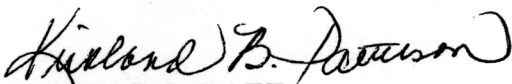
In either case, after an arriving vessel has moored, only the master is authorized to depart the vessel for the purpose of telephoning Customs. Reporting masters will be connected to a Customs & Border Protection (CBP) Inspector and must have the necessary documents available, in order to identify their vessel, passengers, and crew. The master must then return to the vessel and allow no other persons to board, until issued clearance by a CBP Inspector. A complete listing of Customs Ports of Entry and Stations, where vessels are authorized to report their arrival can be found in the United States Coast Pilot, printed annually by the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Ocean Service.

5. Enforcement:

19 USC 1436(b) "Any master, person in charge of a vehicle, or aircraft pilot who commits any violation listed in subsection (a) of this section is liable for a civil penalty of \$5,000 for the first violation, and \$10,000 for each subsequent violation, and any conveyance used in connection with any such violation is subject to seizure and forfeiture."

6. Summary:

Presently, these are the only private vessel reporting procedures for the CBP Port of San Diego. CBP Inspectors staff the Private Vessel Reporting docks during peak recreational activity, to facilitate the processing of arriving vessels. The concept of "Telephonic Reporting", is being addressed at a national level. We appreciate your patience. Your assistance in disseminating this information to your associates is appreciated and will assist us greatly in our security efforts within the Port of San Diego.

*for* 

HECTOR S. BAEZ  
Interim Port Director